

Application No. 10/648,228
Amendment dated April 25, 2005
Reply to Office Action of January 24, 2005

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REMARKS / ARGUMENTS

The Examiner's acknowledgment that claim 8 patentably distinguishes over the art is appreciated. This claim has now been rewritten in independent format.

Claim 1 has been amended to clarify the adjustable arrangement. This claim was previously rejected as anticipated by Lynn et al and claims 1 through 7, and 9 and 10, were rejected under 35 U.S.C. 103 as unpatentable over Meibock et al in view of Woolley. These rejections are respectfully traversed.

Claim 1 as now amended requires a hockey skate comprising a boot, a blade holder, a blade received in the blade holder, and an adjustable arrangement for altering the attachment orientation of the blade holder to the boot. The blade holder is of a particular structure and includes an outwardly extending toe flange and an outwardly extending heel flange. The adjustable arrangement engages the outwardly extending flanges of the blade holder and allows changes in position of the blade, relative to a center line of the boot. The claim additionally includes the requirement that the outwardly extending toe flange and the outwardly extending heel flange are each secured to the boot at a plurality of peripheral positions on opposite sides of a center line of a boot.

As can be appreciated from a review of Lynn United States Patent 2,985,461, the boot is secured on the center line of the boot and it is certainly not secured on opposite sides of the center line of the boot. Furthermore, the heel flange and the toe flange, assuming flanges 17 and 18 meet this requirement, are only secured at one point and not the required plurality of

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peripheral positions on opposite sides of the center line of the boot.

As noted from the present application, the securement of the blade holder to the boot must be completed in a manner to be stable and secure. The forces exerted on the skate can indeed be quite high due to size of the players and the stop/start nature of hockey. It is respectfully submitted that the Lynn reference would not be suitable for this particular application and does not have the required securing mechanism as well as adjustability defined in the present claims.

For the above reasons, the Lynn reference does not anticipate amended claim 1 nor is claim 1 obvious in light thereof. In fact, the Lynn reference where the securement is only at a single location with respect to the toe and heel would not be suitable.

Claims 1 through 7, and 9 through 10 were also rejected as being obvious in light of Meibock et al United States Patent 5,452,907 and Woolley United States Patent 4,251,026. It is noted that in the Meibock et al structure, the securement is with respect to a roller skate and again, the securement is provided only at a single point, and in this case, a single point on the center line of the rollers of the skate. There is no securement to a toe flange and a heel flange at the plurality of positions and on opposite sides of the center line of the skate as now required by the claims.

The secondary reference of Woolley is merely directed to an ice skate blade and if this reference was combined with the primary reference of Meibock, the securement would still take place on the center line of the blade. There is no suggestion or teaching in either of these references of an adjustment

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arrangement having the particular cooperation with the toe and heel flange and at a series of peripheral points about these flanges to properly secure the blade to the boot.

It is noted that none of the primary references cited by the Examiner discloses a hockey skate blade holder with the outwardly extending toe and heel flanges having a series of slots to allow changing the orientation of the blade holder to the boot. In fact, the common practice and accepted practice with respect to this type of blade holder is to use securing points on these flanges, however, the points are fixed and the blade holder is typically riveted to the boot. The only recognition that an adjustable system for a hockey skate is possible is found in the present application.

The prior art with respect to adjustability is really directed to roller blades and/or figure type skates and there is no suggestion that such a system can be used with a hockey skate. Furthermore, the references clearly teach securement to a central point contact which is not acceptable and does not meet the requirements of the amended claims.

Claims 11 through 14 were rejected in light of Foffano et al United States Patent 6,276,695 and Siemnash United States Patent 1,530,211. Claim 11 has now been amended such that the adjustable arrangement includes a front and rear worm drive located within pedestals of the blade holder and the worm drives are accessible to the exterior of the pedestals. As can be appreciated, the game of hockey and a hockey skate are subject to very high loads and these loads are not solely restricted to the use of the skate. For example, the blade holder can be contacted by the puck during the game and are therefore subject to high impact loads. The provision of the adjustable worm drives in the pedestals of the blade holder protect this adjustment arrangement

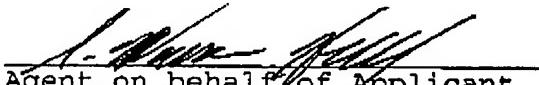
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while still providing the advantages possible by changing the center line position of the blade. The adjustable arrangements of the prior art are not located in this manner and would be subject to damage. These arrangements are effectively impractical with respect to hockey skates and the durability thereof.

In view of the amended claims, reconsideration and allowance of the application is submitted.

Respectfully submitted,


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